

## **IC 22-15-2**

### **Chapter 2. Office of the State Building Commissioner**

#### **IC 22-15-2-1**

##### **Establishment**

Sec. 1. The office of the state building commissioner is established within the department.

*As added by P.L.245-1987, SEC.4.*

#### **IC 22-15-2-2**

##### **Appointment; qualification; tenure**

Sec. 2. (a) The governor shall appoint a state building commissioner to direct the office. The state building commissioner serves at the pleasure of the governor.

(b) The state building commissioner must be a registered architect or a professional engineer.

(c) The individual appointed as state building commissioner shall devote full time to the office.

*As added by P.L.245-1987, SEC.4.*

#### **IC 22-15-2-3**

##### **Divisions; personnel; chief deputy; duties**

Sec. 3. (a) The state building commissioner shall organize the office into the following divisions:

(1) A division of code enforcement to carry out section 7 of this chapter and IC 22-15-4 and to encourage the development of building law enforcement programs in other state agencies and in every political subdivision.

(2) A division of plan review to carry out IC 22-15-3.

(3) A division of elevator safety, the duties of which include inspections of regulated lifting devices as required under IC 22-15-5 and regulated amusement devices under IC 22-15-7.

(4) A division of boiler and pressure vessel safety to carry out IC 22-15-6.

(b) Inspections of regulated boilers shall be conducted by inspectors licensed under IC 22-15-6-5.

(c) The state building commissioner may assign duties that are not described in subsection (a) to any division within the office.

(d) The state building commissioner shall appoint the personnel in the office under IC 4-15-2.

(e) The state building commissioner shall appoint a chief deputy state building commissioner. The appointee must be approved by the executive director of the department. The chief deputy may exercise any of the state building commissioner's responsibilities in the commissioner's absence.

*As added by P.L.245-1987, SEC.4. Amended by P.L.222-1989, SEC.14; P.L.119-2002, SEC.10.*

#### **IC 22-15-2-4**

##### **Divisions; directors; qualifications**

Sec. 4. (a) The state building commissioner shall appoint a director to each of the divisions established by section 3 of this chapter. These directors serve at the pleasure of the state building commissioner.

(b) The director of the division of code enforcement must be:

- (1) a registered architect or professional engineer, qualified in the design and construction of Class 1 structures; or
- (2) qualified by experience in the administration of building laws.

(c) The director of the division of plan review must be a registered architect or professional engineer, qualified in the design and construction of Class 1 structures.

(d) The director of the division of elevator safety must have at least ten (10) years experience in the design, construction, repair, or inspection of regulated lifting devices.

(e) The director of the division of boiler and pressure vessel safety must:

- (1) be a professional engineer registered under IC 25-31 or pass a written and oral examination given by the office to determine the director's technical and administrative competence;
- (2) have administrative experience; and
- (3) pass the examination required under IC 22-15-6-5 for licensure as a boiler and pressure vessel inspector.

*As added by P.L.245-1987, SEC.4.*

#### **IC 22-15-2-5**

##### **Private practice prohibited**

Sec. 5. The state building commissioner and other office employees may not directly or indirectly engage for money or other consideration in the private practice of architecture, the private practice of engineering, or the construction or repair of any Class 1 structure.

*As added by P.L.245-1987, SEC.4.*

#### **IC 22-15-2-6**

##### **Powers**

Sec. 6. To carry out the office's responsibilities, the state building commissioner or an employee or another agent of the office may:

- (1) exercise any program of supervision that is approved by the commission, if the responsibility involves the administration or enforcement of a building law;
- (2) enter and inspect any property, at a reasonable hour;
- (3) issue and enforce administrative orders under IC 22-12-7 and apply for judicial orders under IC 22-12-7-13;
- (4) cooperate with law enforcement officers and political subdivisions that have jurisdiction over a matter; and
- (5) issue a written interpretation of any building law under IC 22-13-5.

*As added by P.L.245-1987, SEC.4. Amended by P.L.71-1999, SEC.2.*

**IC 22-15-2-7**

**Enforcement program; coordination with state fire marshal**

Sec. 7. (a) The office shall carry out a program to enforce all laws described by one (1) or more of the following:

- (1) Building laws and related variances and other orders that apply to Class 1 structures.
- (2) Building laws and related variances and other orders that apply to industrialized building systems.
- (3) Building laws and related variances and other orders that apply to mobile structures.
- (4) Building laws, equipment laws, and related variances and other orders that apply to regulated lifting devices.
- (5) Equipment laws and related variances and other orders.

(b) The office shall coordinate its enforcement program with the enforcement program conducted by the office of the state fire marshal under IC 22-14. The state building commissioner may authorize the office of the state fire marshal to carry out an enforcement function for the office.

*As added by P.L.245-1987, SEC.4. Amended by P.L.119-2002, SEC.11.*